IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CIVIL APPLICATION NO.583 OF 2005
IN
WRIT PETITION NO.1630 OF 1994

Board of Trustees of Jawaharlal Nehru Port. .. Applicant

v/s.

Nhava Sheva Port and General Workers Union & ors. ..Respondents.

Mr.C.U.Singh with Mr.S.P.Bhalwal i/by M/s.Vyas & Bhalwal for applicant.

Mr.Jaiprakash Sawant for respondent No.1.

Mr.S.I.Shah for respondent No.2.

CORAM : R.M. LODHA AND
R.S. MOHITE, JJ.

DATED : 23rd March, 2005

P.C.

Heard.

2. It is common ground that by the order dated 7.1.2004, the appropriate Government has referred the following dispute for adjudication to the Central Government Industrial Tribunal No.1-cum-Labour Court, Mumbai:

> "Whether any employer-employee relationship exists between workmen employed for Container Freight Station operations in the Container Freight Station of Jawaharlal Nehru Port Trust through the intermediaries including the Central Warehousing Corporation (CWC) and M/s.Ornate Multi-Model Carriers Pvt.Ltd. Mumbai? Whether the demands for absorption of workmen employed for Container Freight

Station operations in direct services of JNPT is justified? If not, what relief are the workmen concerned entitled to?"

3. In view thereof we hardly find any justification for continuation of the interim order passed by this court on 9.6.1994 beyond two months. The applicant may apply for interim relief to the concerned Central Government Industrial Tribunal No.1-cum-Labour Court, Mumbai.

3. We, accordingly, dispose of the civil application by the following order:-

(i) The interim order dated 9.6.1994 shall stand discharged on expiry of two months from today.

(ii) We observe that if any application is made by the applicant before the Central Government Industrial Tribunal No.1-cum-Labour Court, Mumbai for interim relief, the same shall be heard and disposed of expeditiously and preferably within four weeks from the date of making such application.

(R.M. LODHA, J.)

(R.S. MOHITE, J.)